

Appl. No. 10/606,383  
Amdt. dated September 20, 2005  
Reply to Office action of July 5, 2005

**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

1. (Currently amended) An ear cover for covering, protecting, and holding a folded ear on a person's head in a forwardly folded condition while the hair on the person's head is being treated, said cover comprising:

flexible fluid impervious strip shield means for covering and holding the ear in a forwardly folded condition including

central non-adhesive ear engaging means, having a length and width sufficient to cover the folded ear when laid thereover, for bearing against the folded ear in said forwardly folded condition; and

border strip adhesive means surrounding said central non-adhesive ear engaging means for adhesively sealing to a portion of the person's head surrounding the ear;

said strip shield means including a flexible, water impervious strip having a mid-portion for mounting said central ear engaging portion, said border strip adhesive means being integral with said mid-portion;

said central ear engaging non-adhesive portion comprising a central pad;

said central pad comprising open cell material; said mid-portion including an

aperture therethrough aligned with a portion of said strip of open cell material.

2.-5. (Cancelled).

6. (Currently amended) An ear cover for covering, protecting, and holding a folded ear on a person's head in a forwardly folded condition while the hair on the person's head is being treated, said cover comprising:

flexible fluid impervious strip shield means for covering and holding the ear in a forwardly folded condition including

central non-adhesive ear engaging means, having a length and width sufficient to cover the folded ear when laid thereover, for bearing against the folded ear in said forwardly folded condition; and

border strip adhesive means surrounding said central non-adhesive ear engaging means for adhesively sealing to a portion of the person's head surrounding the ear;

said central ear engaging means comprising:

an ear engaging padded sheet having an

inner face for bearing against the folded ear, and

an outer face;

said border strip adhesive means including

fluid impervious and heat resistant sheet means having

an inner face with a central portion mounting said ear engaging padded sheet, and

a perimetrically extending border portion provided with pressure sensitive adhesive means for sealing to the skin of the person's head surrounding the folded ear;

~~The ear cover set forth in claim 5 wherein said fluid impervious and heat resistant sheet means further includes~~ including a laminate comprising a sheet and a heat shield sandwiched between said outer face of said ear engaging padded sheet and said fluid impervious sheet.

7. (Original) The ear cover set forth in claim 6 wherein said heat shield and said fluid impervious sheet are generally bell shaped.

8. (Original) The ear cover set forth in claim 7 wherein said ear engaging padded sheet is generally rectangular.

9. (Original) The ear cover set forth in claim 8 wherein said fluid impervious sheet includes an opening therethrough and said heat shield spans said opening.

10.-14. (Cancelled).

15. (Currently amended) ~~The ear protector set forth in claim 14 wherein~~ An ear cover for covering, protecting, and holding a folded ear of a person's head in a forwardly folded condition while the hair on the person's head is being treated, said cover comprising:

an ear engaging sheet of thin flexible non-adhesive material for bearing against the folded ear and including a perimetrical edge; and

a mounting sheet of thin flexible material mounted on said ear engaging sheet and having an adhesive border portion coupled to, but projecting outwardly beyond said perimetrical edge for adhesively sealing to a portion of person's head adjacent the folded ear; and

a heat resistant sheet of material sandwiched between said ear engaging sheet and said mounting sheet for protecting the folded ear;

said ear engaging sheet having a predetermined width and a predetermined height substantially greater than said predetermined width;

said mounting sheet being fluid impervious;

said mounting sheet ~~has~~ having an opening therethrough, said heat resistant sheet spanning said opening and being coupled to said adhesive border portion.

16. (Cancelled).

17. ~~The ear protector set forth in claim 14 wherein~~ An ear cover for covering, protecting, and holding a folded ear of a person's head in a forwardly folded condition while the hair on the person's head is being treated, said cover comprising:

an ear engaging sheet of thin flexible non-adhesive material for bearing against the folded ear and including a perimetrical edge; and

a mounting sheet of thin flexible material mounted on said ear engaging sheet and having an adhesive border portion coupled to, but projecting outwardly beyond said perimetrical edge for adhesively sealing to a portion of person's head adjacent the folded ear; and

a heat resistant sheet of material sandwiched between said ear engaging sheet and said mounting sheet for protecting the folded ear;

said ear engaging sheet having a predetermined width and a predetermined height substantially greater than said predetermined width;

said mounting sheet being fluid impervious;

said ear engaging sheet ~~includes~~ including a first predetermined width and a first predetermined height substantially greater than said first predetermined width; said heat resistant sheet having a second predetermined height greater than said first

predetermined height, and ~~includes~~ including

an upper portion having a second predetermined width greater than said first predetermined width, and

a lower portion having a third predetermined width greater than said second predetermined width.

18. (Original). The ear protector set forth in claim 17 wherein said mounting sheet includes an upper portion having a fourth predetermined width greater than said second predetermined width but less than said third predetermined width and a lower portion having a fourth predetermined breadth greater than said third predetermined breadth.

19. (Cancelled).

20. (Currently amended) ~~The ear protector set forth in claim 19 wherein~~ An ear cover for covering, protecting, and holding a folded ear of a person's head in a forwardly folded condition while the hair on the person's head is being treated, said cover comprising:

an ear engaging sheet of thin flexible non-adhesive material for bearing against the folded ear and including a perimetrical edge; and

a mounting sheet of thin flexible material mounted on said ear engaging sheet and having an adhesive border portion coupled to, but projecting outwardly beyond said perimetrical edge for adhesively sealing to a portion of person's head adjacent the folded ear; and

a heat resistant sheet of material sandwiched between said ear engaging sheet and said mounting sheet for protecting the folded ear;

said ear engaging sheet having a predetermined width and a predetermined

height substantially greater than said predetermined width;

said mounting sheet being fluid impervious;

said mounting sheet and said heat resistant sheet each having a bell shape;

said mounting sheet ~~has~~ having a bell shaped opening therethrough.

21.-28. (Cancelled)

29. (Currently amended) ~~The ear cover laminate set forth in claim 28 wherein~~ An ear cover laminate for covering protecting, and holding a folded ear on a person's head in a forwardly folded condition while the hair on the person's head is being treated, said cover comprising:

an ear engaging sheet of open cell material having

an inner face for bearing against the folded ear and

an outer face; and

fluid impervious and heat resistant sheet means having an inner face with a central portion for mounting said ear engaging sheet and a perimetrically extending border portion provided with pressure sensitive adhesive means for sealing in water impervious relation to the skin of the user's head completely around the folded ear;

said sheet means including a laminate comprising

a fluid impervious sheet, and

a heat resistant sheet of material sandwiched between said outer face of said ear engaging sheet and said fluid impervious sheet;

said ear engaging sheet having a rectangular shape and said heat resistant sheet and said fluid impervious sheet are bell shaped;

said water impervious sheet includes an opening therethrough and said heat

resistant sheet is water impervious and spans said opening.

30.-34. (Cancelled).

35. (Currently amended) ~~The ear cover set forth in claim 34 wherein~~ An ear cover for covering, protecting, and holding a folded ear on a person's head in a forwardly folded condition while the hair on the person's head is being treated, said cover comprising:

fluid impervious, heat resistant, flexible sheet means having inner and outer faces;

said inner face having a central mounting portion and a perimetrical border portion provided with a layer of pressure sensitive adhesive for sealing to the skin of a person's head surrounding the ear; and

an ear engaging flexible sheet of non-adhesive material mounted on said central mounting portion for bearing against the folded ear;

said sheet means comprising a laminate including a water impervious sheet and a heat shield sandwiched between said ear engaging sheet and said fluid impervious sheet;

said heat shield having a predetermined breadth and said fluid impervious sheet having a greater predetermined breadth;

said fluid impervious sheet includes including an opening therethrough and said heat shield spans spanning said opening and is being sealed to said border portion.

36. (Cancelled).

37. (Original) A method of covering and protecting the external ear, including a pinna supporting a helix on a person's head, while the hair on the person's head is being treated with fluid comprising the steps of:

forwardly folding the helix of the pinna over on itself;

applying a shield over the folded ear; and

adhesively sealing the shield to the portion of the person's head surrounding the ear to preclude any hair treating fluid from reaching the external ear.

38. (Original). The method set forth in claim 37 wherein the step of adhesively sealing is accomplished by sealing a portion of the shield to a portion of the person's head rearward of the ear and thereafter sealing a portion of the shield to a portion of the person's head forward of the ear.